



THE COMMONWEALTH OF MASSACHUSETTS
OFFICE OF CAMPAIGN & POLITICAL FINANCE

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MEMORANDUM

TO: Candidates Seeking Statewide Office in 2006

FROM: Michael J. Sullivan, Director *MJS*

SUBJECT: Preliminary Information for Candidates
Interested in Receiving Public Financing in 2006

M.G.L. chapter 55C, created by chapter 26 of the Acts of 2003, makes public financing available to qualifying candidates for governor and, if sufficient funds are available, to other qualifying candidates seeking statewide office in 2006. All contributions received from individuals and deposited in a statewide candidate's depository account on or after January 1, 2005 may be eligible as qualifying contributions for public financing. Contributions must also comply with chapter 55C and 970 CMR 4.00, OCPF public finance regulations. This memorandum outlines several important steps candidates must take to ensure that qualified contributions are eligible for matching public funds.

1. Contributor Information/Matching Funds Eligibility

Candidates must identify each contribution submitted for public financing in 2006 by including the contribution on the *Form CPFA 5* (List of Qualifying Contributions) beginning with deposits made on January 1, 2005. For a contribution to be eligible for matching funds, the contributor must be identified and the contribution must be itemized regardless of amount, when disclosing contributions through OCPF's electronic filing disclosure system.

In addition, when electronically disclosing contributions to OCPF, candidates should make sure to include the full name and address of each contributor, regardless of the amount of the contribution. For example, a contributor should be listed as Jane Smith not Dr. Smith. Initials or numerals such as "Sr.," "Jr.," or "II" should also be included. For example, John Smith, Jr. or John Smith, II.



2. Photocopying Contributor's Check

Candidates must submit a photocopy of each contribution check to OCPF when requesting matching public funds in 2006. Candidates must, therefore, make two photocopies of every contribution check received during 2005 and 2006; one for the candidate's records and one for submission to OCPF.

3. Verification Cards

To be eligible as qualifying contributions, contributions by cash, treasurer's check, cashier's check, or by credit card, must be listed in a **Form CPFA 1** (Verification Card), signed by the candidate and submitted to OCPF. Contributions by cash, treasurer's check, or cashier's check may not exceed \$50.00.

In addition, a verification card must be submitted for any contribution by check (a) which does not contain the name of the contributor or (b) which is written on a partnership, trust, sole proprietorship or other unincorporated business association or organization account.

4. Recordkeeping

By law and regulation, candidates seeking statewide office and the treasurers of candidate committees organized on behalf of such candidates must keep detailed accounts and records of all contributions, including in-kind contributions received, all expenditures made and all liabilities incurred. Such records will be particularly helpful to candidates and treasurers when completing the required post primary and election reports.

5. General

(a) *Eligibility* - To be eligible for matching public funds in 2006, candidates must file, on or before June 6, 2006, a statement agreeing to limit spending to the amounts specified in section 1A of chapter 55C. Candidates who do not agree to the limit specified in section 1A, must file a statement establishing a self-imposed spending limit no later than June 9, 2006. A candidate who agrees to limit spending in accordance with the limits set forth in chapter 55C will have his or her expenditure limit increased to the highest self-imposed spending limit chosen by an opposing candidate. Exceeding the spending limit may subject a candidate to significant civil and criminal penalties.

(b) *Penalty for not filing statement agreeing to statutory spending limit or setting self-imposed limit* - Chapter 55C states that the name of any candidate who fails to file a statement within the time required by Section 1A of chapter 55C "shall not appear on the state primary ballot nor the state election ballot, and the director shall inform the state secretary of any such failure."

(c) *\$250 Limit* - Only the first \$250 of an *individual's* total contributions made in 2005 and 2006 are eligible to be considered as a qualifying contribution. For example, if Mary Jones

contributes \$500.00 in 2005 and \$300.00 in 2006, only \$250.00 of Ms. Jones' \$800 in contributions may be submitted as a qualifying contribution.

(d) Loans - Contributions in the form of a loan are not eligible to be considered as qualifying contributions.

If you have any questions or would like to make an appointment to review the disclosure and public financing procedures, you should call OCPF's Deputy Director Brad Balzer.

Copies of chapter 55C and OCPF's public finance regulations (970 CMR 4.00) are available upon request.